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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 WESTERN DIVISION
13

14 ANDREA GUY JACKSON
15 Plaintiff,

16 v.

17 CITY OF BEVERLY HILLS, and DOES
18 1-20, inclusive,
19 Defendants.

CASE NO. CV10-2143 DMG (JCx)

HON. DOLLY GEE

**DEFENDANT CITY OF BEVERLY
HILLS' NOTICE OF RELATED
CASE**

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DEFENDANT CITY OF BEVERLY HILLS' NOTICE OF RELATED CASE

Andrea Guy Jackson v. City of Beverly Hills et al.
Case No. CV-2143 DMG (JCx)

TO ALL PARTIES APPEARING OF RECORD:

This will serve as notice that *Wilcher v. City of Beverly Hills et al.*, United States District Court, Central District, Case No. 2:10-CV-01804-VBF-AGR, appears to be a related case in that it may call for the determination of the same or substantially identical questions of law and/or fact. Both the above-captioned case and the *Wilcher* case have been filed against the City of Beverly Hills (the “City”), and both cases have been brought by City jailers who were transferred into Record Technician I positions. In addition, both the plaintiff in the above-captioned case, Andrea Guy Jackson (“Plaintiff”), and the plaintiff in the *Wilcher* case have brought claims for: 1) Retaliation in Violation of Title VII of the Civil Rights Act of 1964 (“Title VII”); 2) Willful Violation of the Fair Labor Standards Act (“FLSA”); and 3) Retaliation in Violation of the FLSA,¹ all of which claims are based on similar allegations as they relate to each plaintiff, respectively. Further, both the above-captioned case and the *Wilcher* case will require determinations on:

- What constitutes “reasonably related” in terms of allegations in a previously-filed Equal Employment Opportunity Commission (“EEOC”) charge and allegations in a subsequent civil complaint, for which allegations an EEOC charge[s] has not been filed;
- Whether a plaintiff may exhaust her administrative remedies as to her federal Title VII claims by filing a complaint with the state Department of Fair Employment and Housing;
- Whether pay for daily overtime is required under federal law;
- Whether the City is allowed to provide compensatory time in lieu of overtime pay;

¹ Of note, Plaintiff also has brought a claim for Racial Discrimination in Violation of Title VII, which claim was not brought in the *Wilcher* case.

- Whether federal law requires meal periods;
- Whether federal law allows pay in lieu of meal periods; and
- Whether federal law requires rest periods.

For the above-stated reasons, the *Wilcher* case appears to be related to the above-captioned case.

Dated: April 16, 2010

HOLME ROBERTS & OWEN LLP

By: s/Nicole D. Gomes

Donald L. Samuels

Nicole D. Gomes

Attorneys for Defendant

CITY OF BEVERLY HILLS

PROOF OF SERVICE
1013 A(3) CCP REVISED 5/1/88

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 800 West Olympic Boulevard, 4th Floor, Los Angeles, CA 90015.

On April 16, 2010, I served the foregoing document described as **DEFENDANT CITY OF BEVERLY HILL'S NOTICE OF RELATED CASE** on the interested party in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST


☐ BY MAIL: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ BY PERSONAL SERVICE: I caused the above-mentioned document to be personally served to the offices of the addressee.

☒ BY ELECTRONIC MAIL: I caused the above-referenced document to be served to the addressee on the attached service list via CM/ECF.

Executed on April 16, 2010, at Los Angeles, California.

☒ (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.


GERI ANDERSON

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